

MAY 26 1998



May 18, 1998

Mr. Rick Breitenbach  
 CALFED Bay-Delta Program  
 1416 Ninth Street, Suite 1155  
 Sacramento, CA 95814

Dear Mr. Breitenbach:

You and your associates unquestionably have attempted to assemble a quality comprehensive, scientific and professional draft Programmatic Environmental Impact Statement/Environmental Impact Report related to improving conditions in the San Francisco Bay Delta ecosystem. Unfortunately, it is flawed fatally.

The Watershed Management element in the long-term plan fails to include the Trinity River Basin as a part of the Bay-Delta watershed and system. This is absurd, and indefensible, in view of the nearly one million acre feet of water diverted from the Trinity River to the Sacramento River, now the principal source of fresh water to the San Francisco Bay-Delta. The Trinity watershed clearly is part of the watershed, as defined in the Watershed Management Strategy of the Delta system.

According to the draft, the Trinity River Basin is totally eliminated as an affected watershed as delineated on any map, problem, solution or study areas for the Program. This inexplicable exclusion is completely inconsistent with Proposition 204, and with the consensus recommendation in March 1998, by the CALFED Ecosystem Roundtable. The latter recommended inclusion of the Trinity River Basin in CALFED's Category 3 Grant Program project area.

The draft document completely ignores obligations to the Hoopa Valley and Yurok Tribes, which have been damaged severely - economically, culturally and spiritually - by Trinity River water diversions to the Sacramento River. The draft Environmental Justice and Indian Trust Assets sections simply omit these directly related CALFED issues.

Continued massive diversions of Trinity River water has created major environmental and economic disasters in the Trinity River Basin, the North Coast of California and Southern Oregon. These major costs are all to the benefit of the San Francisco Bay Delta, or more precisely to the San Joaquin Valley. To omit addressing these issues

P.O. Box 2327 • Mill Valley, CA • 94942-2327 • Phone: 415 389-1300 • Fax: 415 389-1437  
 fotr@well.com • <http://www.ffa.com/AG/friendsoftr/friendsoftr.html>

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is totally inconsistent with the Solution Principles that the document presumes to embody.

The draft also totally ignores federally mandated legislation (Section 3406(b)(23) of CVPIA) for full implementation of the Trinity River Flow Decision, expected about a year from now. It does not even discuss alternatives from impacts of the Flow Decision in the Trinity Basin, or upon recreational activities at Trinity Lake. Instead, it describes the impact of that decision as an adverse impact on the Bay-Delta. This latter assumption clearly is not consistent with various flow scenarios and the facts. It would be more credible to assert that less water diverted from the Trinity, and hence less water pumped into the San Joaquin Valley would have a positive impact upon water quality in the San Francisco Bay Delta.

We strongly disagree with the idea of creating possible future facilities, such as the 600-foot wide canal for conveyance of more water from Northern California to Southern California. This presumes that the pre-legislative and legislative history of the Trinity Division, and additional Trinity River legislative history simply is to be ignored. It also presumes areas of origin, the economic and environmental devastation of a large part of California, and federal Trust obligations to Native American Tribes are to be overlooked. This is totally inconsistent, not only with federal legislative mandates, but with case law as well.

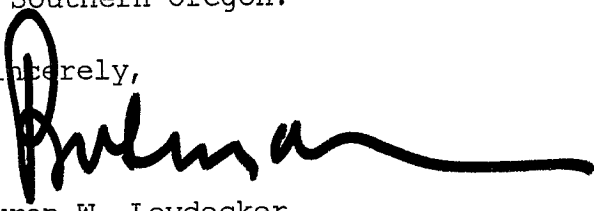
The document should include mandates:

- To assure fulfillment of fishery and wildlife restoration goals in Public Law 98-541,
- To fulfil federal trust obligations to Native American Tribes,
- To provide for a minimum pool in Trinity Lake, not only for economic reasons, but to maintain compliance with water temperature standards for Trinity fisheries as contained in the Water Quality Control Plan for the North Coast of California, and
- To provide adequate funding for the restoration of Trinity River, its tributaries and watersheds.

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Stated briefly, CALFED's draft EIS/EIR cannot ignore, dismiss, or otherwise overlook basic established legal and other rights of an area which includes the Trinity River Basin its tributaries and watersheds, the North Coast of California, and Southern Oregon.

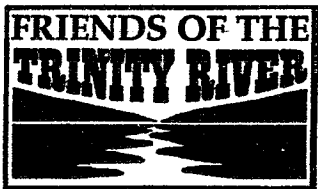
Sincerely,



Byron W. Leydecker  
Chairman

BWL/mw

cc: The Honorable Dianne Feinstein  
The Honorable Barbara Boxer  
The Honorable Wally Herger  
The Honorable Frank Riggs  
The Honorable George Miller  
The Honorable Bruce Babbitt  
Honorable Members, Trinity Board of Supervisors  
Honorable Members, Humboldt Board of Supervisors  
Honorable Members, Del Norte Board of Supervisors  
Honorable Members, Mendocino Board of Supervisors



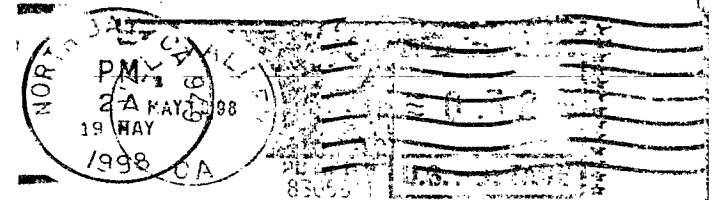
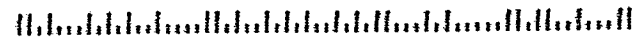
P.O. Box 2327  
Mill Valley, CA  
94942-2327

**DEDICATED  
TO RESTORING  
A GREAT RIVER**



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CALFED Bay-Delta Program  
1416 Ninth Street, Suite 1155  
Sacramento, CA 95814

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